

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

SENATE BILL 39

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD  
10 OF PHYSICAL THERAPY FOR THE FISCAL YEAR ENDING JUNE  
11 30, 2012; AND FOR OTHER PURPOSES.  
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## Subtitle

14 AN ACT FOR THE ARKANSAS STATE BOARD OF  
15 PHYSICAL THERAPY APPROPRIATION FOR THE  
16 2011-2012 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Arkansas State Board of Physical Therapy for the 2011-2012 fiscal year, the  
24 following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
30	(1) X050C	PHYSICAL THERAPY BD EXEC DIR	1	GRADE C120
31	(2) C056C	ADMINISTRATIVE SPECIALIST III	<u>1</u>	GRADE C112
32	MAX. NO. OF EMPLOYEES		2	

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34 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
35 State Board of Physical Therapy for the 2011-2012 fiscal year, the following  
36 maximum number of part-time or temporary employees, to be known as "Extra



1 Help", payable from funds appropriated herein for such purposes: one (1)  
 2 temporary or part-time employees, when needed, at rates of pay not to exceed  
 3 those provided in the Uniform Classification and Compensation Act, or its  
 4 successor, or this act for the appropriate classification.

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 6 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 7 to the Arkansas State Board of Physical Therapy, to be payable from cash  
 8 funds as defined by Arkansas Code 19-4-801 of the Arkansas State Board of  
 9 Physical Therapy, for personal services and operating expenses of the  
 10 Arkansas State Board of Physical Therapy for the fiscal year ending June 30,  
 11 2012, the following:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2011-2012</u>
15 (01) REGULAR SALARIES	\$88,265
16 (02) EXTRA HELP	5,000
17 (03) PERSONAL SERVICES MATCHING	27,177
18 (04) MAINT. & GEN. OPERATION	
19 (A) OPER. EXPENSE	89,833
20 (B) CONF. & TRAVEL	3,489
21 (C) PROF. FEES	41,000
22 (D) CAP. OUTLAY	0
23 (E) DATA PROC.	<u>0</u>
24 TOTAL AMOUNT APPROPRIATED	<u><u>\$254,764</u></u>

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 26 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 28 PROFESSIONAL FEES. Twenty-five thousand dollars (\$25,000) of the available  
 29 appropriation in the Professional Fees Line Item of this Act shall be made  
 30 available to the board for the purpose of contracting an independent or  
 31 private investigator to perform any investigative task as needed or may be  
 32 required by law. Physical Therapy board members may not act as investigators  
 33 nor do investigative work required by the board.

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 35 SECTION 5. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in  
 36 this Act for Maintenance and General Operation shall be expended in payment

1 for services of attorneys, unless the agency shall first make a request in  
2 writing to the Attorney General of the State of Arkansas to provide the  
3 required legal services. The Attorney General's Office shall provide the  
4 requested legal services, or, if the Attorney General's Office shall  
5 determine that sufficient personnel are not available to provide the  
6 requested legal services, the Attorney General shall certify the same to the  
7 agency and may authorize the agency to employ legal counsel and to expend  
8 monies appropriated for Maintenance and General Operations therefor, if:

9 (1) The Attorney General determines, and certifies in writing, that  
10 such agency needs the advice or assistance of legal counsel, and

11 (2) The Attorney General consents in writing to the employment of the  
12 legal counsel to be retained by the agency.

13 Such certification shall be required with respect to each instance of  
14 the employment of special legal counsel, or shall be required annually with  
15 respect to legal counsel employed on a retainer basis. A copy of such  
16 certification shall be entered in the official minutes of the agency, and  
17 shall be retained in the fiscal records of the agency for audit purposes.  
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19 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
20 authorized by this act shall be limited to the appropriation for such agency  
21 and funds made available by law for the support of such appropriations; and  
22 the restrictions of the State Procurement Law, the General Accounting and  
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
24 Procedures and Restrictions Act, or their successors, and other fiscal  
25 control laws of this State, where applicable, and regulations promulgated by  
26 the Department of Finance and Administration, as authorized by law, shall be  
27 strictly complied with in disbursement of said funds.  
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29 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
30 Assembly that any funds disbursed under the authority of the appropriations  
31 contained in this act shall be in compliance with the stated reasons for  
32 which this act was adopted, as evidenced by the Agency Requests, Executive  
33 Recommendations and Legislative Recommendations contained in the budget  
34 manuals prepared by the Department of Finance and Administration, letters, or  
35 summarized oral testimony in the official minutes of the Arkansas Legislative  
36 Council or Joint Budget Committee which relate to its passage and adoption.

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SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2011 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2011 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2011.

**APPROVED: 03/03/2011**